

## ORDINANCE NO. 97-26

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR 97-57 IND 1 (INDIAN ROAD), MODIFYING PAGE 57 OF THE FLUA BY CHANGING 37 PARCELS OF LAND TOTALING APPROXIMATELY 9.58 ACRES, GENERALLY LOCATED ON INDIAN ROAD AND SCOTT AVENUE, NORTH OF OKEECHOBEE BLVD, FROM COMMERCIAL/RESIDENTIAL 8 (C/8) TO COMMERCIAL/INDUSTRIAL (C/IND); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on February 28, March 14, and March 28, 1997, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on

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1 March 31 and April 2, 1997, to review the recommendations of the  
2 Local Planning Agency, whereupon the Board of County Commissioners  
3 authorized transmittal of proposed amendments to the Department of  
4 Community Affairs for review and comment pursuant to Chapter 163,  
5 Part II, Florida Statutes; and

6 WHEREAS, Palm Beach County received on July 7, 1997, the  
7 Department of Community Affairs "Objections, Recommendations, and  
8 Comments Report," dated July 3, 1997, which was the Department's  
9 written review of the proposed Comprehensive Plan amendments; and

10 WHEREAS, the written comments submitted by the Department of  
11 Community Affairs contained no objections to the amendments  
12 contained in this ordinance;

13 WHEREAS, on August 8, 1997, the written comments submitted by  
14 the Department of Community Affairs, and the Planning Division's  
15 response to the written comments, were reviewed by the Palm Beach  
16 County Local Planning Agency to make recommendations regarding  
17 adoption of the Comprehensive Plan amendments; and

18 WHEREAS, on September 22, 1997, the Palm Beach County Board of  
19 County Commissioners held a public hearing to review the written  
20 comments submitted by the Department of Community Affairs and to  
21 consider adoption of the amendments; and

22 WHEREAS, the Palm Beach County Board of County Commissioners  
23 has determined that the amendments comply with all requirements of  
24 the Local Government Comprehensive Planning and Land Development  
25 Regulations Act.

26 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
27 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

28 Part I. Amendments to the Future Land Use Atlas of the Land  
29 Use Element of the 1989 Comprehensive Plan

30 The following amendment to the Land Use Element's Future Land

1 Use Atlas is hereby adopted. A map depicting the amendment is  
2 attached to this Ordinance as Exhibit A:

3 A. Future Land Use Atlas page 57 is amended as follows:

4 Application No.: 97-57 IND 1 (INDIAN ROAD)

5 Amendment: Changing 37 parcels of land, from  
6 Commercial/ High Residential 8 (C/8)  
7 to Commercial/Industrial (C/IND)

8 General Location: On Indian Road and Scott Avenue,  
9 north of Okeechobee Blvd

10 Size: Approximately 9.58 Acres

11 Part II. Repeal of Laws in Conflict

12 All local laws and ordinances applying to the unincorporated  
13 area of Palm Beach County in conflict with any provision of this  
14 ordinance are hereby repealed to the extent of such conflict.

15 Part III. Severability

16 If any section, paragraph, sentence, clause, phrase, or word  
17 of this Ordinance is for any reason held by the Court to be  
18 unconstitutional, inoperative or void, such holding shall not  
19 affect the remainder of this Ordinance.

20 Part IV. Inclusion in the 1989 Comprehensive Plan

21 The provision of this Ordinance shall become and be made a  
22 part of the 1989 Palm Beach County Comprehensive Plan. The  
23 Sections of the Ordinance may be renumbered or relettered to  
24 accomplish such, and the word "ordinance" may be changed to  
25 "section," "article," or any other appropriate word.

26 Part V. Effective Date

27 The effective date of this plan amendment shall be the date a  
28 final order is issued by the Department of Community Affairs or  
29 Administration Commission finding the amendment in compliance in  
30 accordance with Section 163.3184, Florida Statutes, whichever



occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 22 day of September, 1997.

ATTEST:  
DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

By *Dorothy H. Wilken*  
Deputy Clerk

By *Burt D. [Signature]*  
Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
By *[Signature]*  
COUNTY ATTORNEY

Filed with the Department of State on the 29 day of September, 1997.

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EXHIBIT A

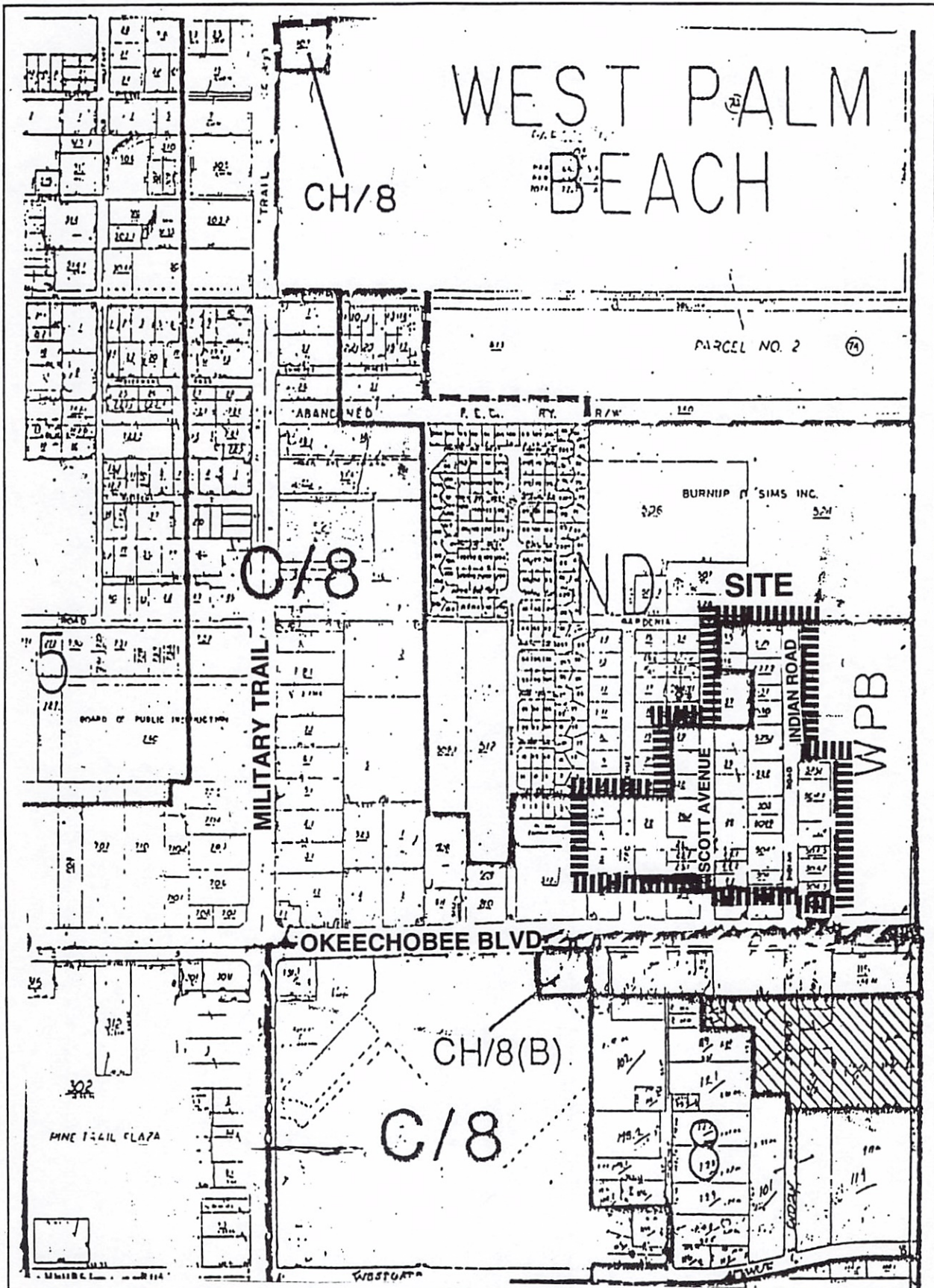
Future Land Use Atlas page 56 is amended as follows:

**Application No.:** 97-56 IND 1 (INDIAN ROAD) County Initiated Corrective Amendment

**Amendment:** Changing 37 parcels of land, from Commercial/ High Residential 8 (C/8) to Commercial/Industrial (C/IND)

**General Location:** On Indian Road and Scott Avenue, north of Okeechobee Blvd

**Size:** Approximately 9.58 total acres



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**Property Information:**

Property Number	Size	Address
00 42 43 24 00 000 5043	.19 acres	2040 Indian Road
00 42 43 24 00 000 5042	.31 acres	2048 Indian Road
00 42 43 24 00 000 5045	.16 acres	2060 Indian Road
00 42 43 24 00 000 5044	.31 acres	2080 Indian Road
00 42 43 24 00 000 5046	.51 acres	2120 Indian Road
00 42 43 24 00 000 5251	.22 acres	2132 Indian Road
00 42 43 24 00 000 0504	.20 acres	2051 Indian Road
00 42 43 24 00 000 5048	.48 acres	2061 Indian Road
00 42 43 24 00 000 5049	.25 acres	2091 Indian Road
00 42 43 24 00 000 0503	.25 acres	2101 Indian Road
00 42 43 24 00 000 0528	.46 acres	2145 Indian Road
00 42 43 24 00 000 5271	.46 acres	2155 Indian Road
00 42 43 24 00 000 5300	.33 acres	0000 Indian Road
00 42 43 24 00 000 0531	.20 acres	2191 Indian Road
00 42 43 24 00 000 5272	.36 acres	2215 Indian Road
00 42 43 24 00 000 0527	.38 acres	2233 Indian Road
00 42 43 24 01 000 0041	.19 acres	2042 Scott Ave.
00 42 43 24 01 000 0420	.64 acres	2070 Scott Ave.
00 42 43 24 01 000 0350	.35 acres	0000 Scott Ave.
00 42 43 24 01 000 0360	.32 acres	0000 Scott Ave.
00 42 43 24 01 000 0370	.64 acres	0000 Scott Ave.
00 42 43 24 01 000 0390	.96 acres	2140, 2150 Scott Avenue
00 42 43 24 01 000 0441	.16 acres	2060 Scott Ave.
00 42 43 24 01 000 0442	.16 acres	2050 Scott Ave.
00 42 44 01 12 000 0290	.17 acres	803 Scott Avenue (2 parcels)
00 42 43 24 01 000 0280	.32 acres	0000 Scott Ave.
00 42 43 24 01 000 0251	.16 acres	2059 Scott Ave.
00 42 43 24 01 000 0252	.16 acres	2069 Scott Avenue
00 42 43 24 01 000 0261	.16 acres	2075 Scott Avenue
00 42 45 25 11 000 0220	.10 acres	10880 Stafford Circle
00 42 45 25 11 000 0050	.10 acres	2045 Stafford Circle
00 42 45 25 11 000 0060	.15 acres	2083 Stafford Circle
00 42 45 25 11 000 0070	.12 acres	2097 Stafford Circle
00 42 43 24 01 000 0262	.32 acres	2101 Scott Avenue

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STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on 9/22/97

Exhibit A

DATED at West Palm Beach, FL on 10/7/97.  
DOROTHY H. WILKEN, Clerk  
By: [Signature] D.C.

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